

Before the Board of Zoning Adjustment, D. C.

Application No. 12012 of Hyman Zoslow, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception to change a non-conforming use from motor scooter sales and repair (first floor) to a taxicab office and school with three students as provided by Section 7104.2 and 7109 of the regulations in the R-5-D District at the premises 607-609 K Street, N. W. (Square 451, Lot 822).

HEARING DATE: October 21, 1975

DECISION DATE: January 14, 1976

#### FINDINGS OF FACT

1. The property is located in a R-5-D District.
2. Prior to December 1972, the property was zoned C-3-B.
3. The property is developed with a one story brick building, with an overhead door suitable for access for vehicles. The building occupies 100 percent of the lot.
4. The property is currently being used as a taxicab office and a school for three students. Prior to that use, the property was used for the sale and repair of motor scooters.
5. The last recorded certificate of occupancy (No. B-55984) was issued on March 26, 1966 for sales and repair of motor scooters. This use is first permitted as a special exception in a C-2 District and as a matter-of-right in a C-3-B District.
6. An office is first permitted in a C-1 District and a school is first permitted as a matter-of-right in an SP District.
7. The immediately adjacent property to the east is used for commercial purposes.
8. There was no opposition to this application.

#### CONCLUSIONS OF LAW AND OPINION

The Board concludes that the proposed change of use would be more in keeping with the Zoning Regulations by changing from a use first permitted in the C-2 District to uses first permitted in C-1 and SP. The Board concludes that the use is not a neighborhood facility but will not be objectionable to adjacent and neighboring property. The Board concludes that the use will not adversely affect the present location or future

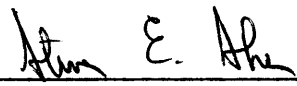
development of the area, which has been primarily commercial in nature. It is therefore ordered that the application be GRANTED.

VOTE

3-0 (William S. Harps and William F. McIntosh to grant, Samuel Scrivener, Jr. to grant by proxy, Theodore Mariani not present to vote and Lilla Burt Cummings abstaining not having heard the case).

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:

  
STEVEN E. SHER  
Acting Secretary to the Board

FINAL DATE OF ORDER: MAR 2 1976

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.